

Message

From: Lazos, Pamela [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15D4F11C6327474BB424A24CBD406E93-PLAZOS]
Sent: 4/26/2021 12:06:22 PM
To: Maslowski, Steven [Maslowski.Steven@epa.gov]
Subject: RE: CRW - Update on EIP/LSRA Intervention

All great points!

From: Maslowski, Steven <Maslowski.Steven@epa.gov>
Sent: Friday, April 23, 2021 10:43 AM
To: Ahearn, Devon (ENRD) <Devon.Ahearn@usdoj.gov>; Lazos, Pamela <Lazos.Pamela@epa.gov>; Nanda, Sushila <Nanda.Sushila@epa.gov>
Subject: RE: CRW - Update on EIP/LSRA Intervention

Devon,

Ex. 5 Attorney Client (AC)

Ex. 5 Attorney Client (AC)

EPA's involvement in this case dates back to the 1990s. In the 90s PADEP refused to allow EPA inspectors to inspect the Harrisburg Authority. In 2010 the relationship between EPA and DEP improved. PADEP allowed EPA to conduct a comprehensive inspection of the wastewater systems. Countless hours were spent driving around the city identifying compliance and public health issues, like more than 200 steel plates in the streets of Harrisburg. Since then tremendous progress has been made. All the catch basins have been cleaned or replaced, the WWTP has been upgraded to meet Chesapeake Bay nutrient limits, a MS4 program has been developed and the collection system is being rehabilitated.

Ex. 5 Attorney Client (AC)

Ex. 5 Attorney Client (AC)

Steve Maslowski
NPDES Section
EPA Region III
215-814-2371

From: Ahearn, Devon (ENRD) <Devon.Ahearn@usdoj.gov>
Sent: Thursday, April 22, 2021 6:30 PM
To: Kardeman, Lianna <Kardeman.Lianna@epa.gov>; Lazos, Pamela <Lazos.Pamela@epa.gov>; Maslowski, Steven <Maslowski.Steven@epa.gov>; Nanda, Sushila <Nanda.Sushila@epa.gov>
Cc: Levine, Bradley (ENRD) <Bradley.Levine@usdoj.gov>
Subject: CRW - Update on EIP/LSRA Intervention

Privileged Attorney-Client Communication / Attorney Work Product

Hi all,

Brad and I had another call with EIP yesterday. Our primary take-away from the conversation is that EIP/LSRA are still concerned that our offer to meet with them will not provide them with sufficient involvement; they seem inclined to seek intervention sooner rather than later. But they continue to consider our meeting proposal. They posed a few requests/conditions about our proposed meeting, including whether the U.S. would enter into a common interest agreement with them before the meeting. We are not inclined to do so at this point.

We plan to circle back with EIP early next week to try to reach a resolution. Let's also plan to move forward with our all-parties meeting on Monday afternoon so we can prepare for the possible meeting with EIP. I will keep you posted with any other updates in the meantime.

Thanks,
Devon

Devon Ahearn
Trial Attorney
Environmental Enforcement Section | ENRD | U.S. Department of Justice
Regular Mail: P.O. Box 7611, Washington, DC 20044-7611
Overnight and Courier: 150 M Street NE, Suite 2.900, Washington, DC 20002
Devon.ahearn@usdoj.gov
(202) 514-2717